

To: Friedman Foundation for Educational Choice

From: Christine Matthews, Bellwether Research & Consulting

Date: October 26, 2015

Subject: State Legislator Focus Groups
Five Key Takeaways and Site Summaries

Overview

In the summer of 2015, the Friedman Foundation for Educational Choice asked Bellwether Research & Consulting to conduct focus groups with state legislators as part of their annual legislator workshops. Bellwether Research conducted two focus groups in each location: Seattle, Nashville, and Boston. Christine Matthews moderated each one-hour group comprised of approximately 5–7 legislators.

The Friedman Foundation selected legislators attending the workshops to participate in advance. They also secured a boardroom with a conference table to seat up to 11 at the hotel in which to hold the discussions. Friedman did not compensate state legislators for their participation. In compliance with participant states' lobbying rules, when possible, Friedman offered to send an anonymous donation to a charity of the participant's choosing.

No Friedman Foundation staff were present in the room for any of the focus groups.

A discussion guide and other focus group specification are provided at the end of this memo.

On behalf of the Friedman Foundation for Education Choice, Bellwether Research conducted focus groups with state legislators in Nashville

(8/16/15), Boston (8/23/15), and Seattle (9/13/15).

We had 34 legislators (31 Republicans, 3 Democrats) participate in the groups, representing the following states:

Nashville: Arkansas, Indiana, Kansas, Kentucky, Minnesota, Oklahoma, Tennessee, West Virginia.

Boston: Iowa, Maine, Maryland, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont.

Seattle: Arizona, Idaho, Nevada, North Dakota, Oklahoma, South Dakota, Washington.

Key Takeaways

1. School choice legislators say they would benefit from an organized, cohesive education reform effort to help with messaging, organizing grassroots support, and providing political cover to counter the teachers' unions and other opposition which is organized, aggressive and comes after them. This is easier said than done, but clearly the most critical need.
2. The Friedman Foundation for Educational Choice is seen as a top resource for education information, as are: ALEC, the Heritage Foundation, and the Heartland Institute. The legislators appreciate: on-site visits to states leading education reform efforts and learning from fellow legislators, education reform conferences, case studies of what has worked in other states, and background facts and data.

They would like more case studies with possible adaptations for their states. They would welcome visits from experts to speak to their caucus or to the public on school choice.

3. Legislators from rural states face particular challenges and are looking at school choice legislation from a ground zero perspective. Many rural states lack options or the infrastructure for school choice, and supportive legislators encounter resistance from colleagues who think school choice would benefit just a few of the most populous

counties and not them. States like North Dakota, South Dakota, West Virginia, Kentucky and Maine, among others, need some tailored advice and assistance on how to get started.

4. ESA legislation that starts small, focused on special needs students, is a model that seems to work as it minimizes resistance. Legislators in states that don't have ESAs think opening up the option to special needs students is the way to start. Those who have already done this are now looking for ways to widen the pool of eligible students. Parents of autistic children were seen as a strong potential network of support for ESA legislation. Activating and engaging the special needs parent networks in the states is a needed component – one that individual legislators can't do.
5. Newly elected legislators who are friendly to school choice need some extra care and attention. Their more senior colleagues say they are not prepared for the attacks that come when they support education reform and need to be prepared in advance for how to handle it.

Specific Findings

Focus group participants were assured that their comments and the discussion would be kept confidential. With that in mind, we report regional designations rather than by state.

What follows in this section may not reflect all comments in the focus group discussions, but what we consider to be the most relevant to moderator's questions. Most text is paraphrasing, based on legislators' comments.

Legislative Environment

The focus group discussion started with a question about what they see as the top legislative issues or priorities for the upcoming session. From the perspective of the legislators present (which may or may not reflect their colleagues), the following topics will be at the top of the legislative agenda in their state:

Northeast: A. May include a focus for more charter schools.

B. Affordable housing, criminal justice, including police force, raising the minimum wage to \$15/hr. The mayor will need to get approval for mayoral control of education.

C. Privatize liquor sales, state pension reforms, criminal justice reforms. Republicans may seek to expand education tax credits, but see the governor opposing; current governor is unlikely to authorize any new charter schools and likely to veto teacher tenure reform. Ed reformers may be on defense, given the governor.

D. Democrats are trying to kill charter schools – starve them of funding.

E. Declining population and consolidating schools. Democrats want to shut down the relatively new charter school program and the fact that the teachers aren't union members is a factor (the governor supports school choice). Economic development. Attracting new companies.

Midwest: A. Ed reform measures can move in the House, but they tend to die in the Democrat-controlled Senate.

B. Civil rights legislation for gays is likely to be a big issue. They think some of their colleagues, including the Senate appropriations chair, may think they've dealt recently with education reform or choice and that it's time to hold off for the moment and not go too far in that direction.

C. There will be political pressure to adopt civil rights legislation to include sexual orientation. It's been introduced several times and defeated, but is back. In terms of education, school funding and the cost of higher education were the key items mentioned. A senator said that the public schools in the state are considered good and that people who might want an alternative, he thought, would want it for cultural or religious reasons rather than quality issues. The senator who

participated was interested in what he learned from the legislators from states with ESAs.

D. There is a Blue Ribbon Commission that is looking into education in the state, with a focus on their teachers being the lowest paid in the nation. A senator put forth a tax-credit scholarship bill last session that passed the senate but did not pass the house. She wants to introduce it again.

E. A state representative in the second group affirmed that school choice or charter schools are really at ground zero in the state with a lot to do. He thought that with roughly 700,000 people in a conservative, rural state, people have always been happy with their public schools, so choice has lacked momentum.

F. The governor's big push is for universal pre-K, which both legislators said will be his top legislative priority. They also predict tax relief to repeal tax hikes that went into effect several years ago, transportation and gas tax will be focus issues. The governor has said every dollar of tax relief needs to be matched with a dollar for pre-K. The emphasis on pre-K and Democratic legislators will virtually stop any education reform momentum.

South: A. Crime and security issues, guns, Planned Parenthood and fetal tissue, curriculum/middle school textbook content. Tweaking ESA legislation related to IEAs (the Department of Education has asked them to do this), opportunity scholarships (which have failed 3-4 times), A-F grading.

B. Tax reform, eliminating Common Core (they got close last session) and road funding. Common Core replacement. Teacher's insurance.

C. Eliminate sales tax exemptions for business and create a deduction for the food tax. Pro-life issues that are tied up in courts that they are trying to get out.

West: A. Budget issues, criminal justice reform and jail overcrowding. Repeal and replace the Blaine Amendment.

B. A freshman legislator mentioned the success they had obtaining business backing of opportunity scholarships.

C. The state senate leadership is floating the idea of human rights legislation to include LGBT, which may also include a religious freedom clause. Our participant said there is a representative who is interested in introducing ESA legislation (which, to our participant's knowledge would be new) and is working with legislators from an ESA state to write it. The participant was interested to see if tax credit funding of ESAs could bypass the Blaine Amendment.

D. Republicans just took control of both chambers. Our participant felt that Republican control was fragile and they could lose it in the next election. The issues of sex education and LGBT issues are controversial topics that parents are engaged in right now.

E. Prison and justice reform. The governor has a task force studying these topics, including why the state has relatively high incarceration rate for women. The rest of the legislators (including him) felt that school choice was not something that affected them and the districts they represent.

F. At the time of the group, there was a lot of educational turmoil. Teachers in the state's largest city were on strike and, our participant said, the teachers' union was waging an all-out assault on educational choice. And the Supreme Court had recently ruled that the state's education funding for charter schools was unconstitutional, so at the time of discussion, the 1,300 kids starting charter schools had no funding. Charter schools were in the public eye at this time. Wealthy people were trying to do private funding of scholarships. Democratic governor aligned with teacher's union. The senate was going to refuse to act or pass a budget in protest. Too much school testing was also an issue.

Trust for Education Information

The conversation about who you trust for educational information was more productive in Nashville and Boston than Seattle. The groups in Seattle were smaller and fewer sources were mentioned.

In addition to the Friedman Foundation, the names that came up most frequently as resources were the Heritage Foundation, Foundation for Excellence in Education, ALEC, and the Heartland Institute.

National Groups mentioned:

ALEC
Democrats for Education Reform
Foundation for Excellence in Education
Friedman Foundation for Educational Choice
Heartland Institute
Heritage Foundation
Institute for Justice
Manhattan Institute
NCSL
National Alliance for Public Charter Schools
National Council for Teacher Quality
Phyllis Schlafly's Report
Students First
Wallbuilders

State Groups mentioned:

American Federation for Children
American Principles Project
Beacon Center
Bluegrass Institute
Cardinal Institute
Ethan Allen Institute
Hoosiers for Quality Education
Intellectual Takeout
Kansas Policy Institute
Center for the American Experiment
Opportunity for all Kids (OAK)
Public Citizens for Children and Youth
RICAN

Challenges to Education Reform

Teachers' unions. There are many things that teachers' unions do that undermine education reform, and these legislators believe that the unions are the biggest roadblock to education reform. They fund Democrats who then oppose what the union opposes. They attack Republican legislators viciously, sometimes in personal terms, for being "anti-education." These attacks are particularly hard on newly elected legislators who aren't used to this. They indoctrinate parents and are largely unchallenged in their messaging. Their money, cohesiveness, and organization is not matched by an organized or cohesive effort on the other side and these legislators often feel like they have no cover from these strikes.

In certain states, the legislators indicated that the teachers unions were not particularly strong and not the kind of forceful actor as we found in the states represented elsewhere. A western state has a strong teachers' union that was causing trouble for the education reform community. But even in states where unions are less powerful, the teachers' union is using ballot measures to go around the legislature to get what they want.

Some mentioned that universities are turning out teachers who have been indoctrinated to think only about public schools and unions and are not open to alternative education models.

Satisfaction with public schools. In a couple Midwest states, the legislators said that there was general satisfaction with public schools. Homeschooling networks are somewhat active and a few of the legislators were homeschooling dads who indicated that homeschooling was the preferred choice if a parent didn't want their child to go to a public school.

Rural nature of the state/lack of options. Legislators from North Dakota and South Dakota, and even Oklahoma, sounded like the legislators from West Virginia and Kentucky when they said that their rural states don't have the infrastructure, private school options, or resources for school choice options. It was hard to get support for educational choice when they

couldn't point to options for parents. Their legislative colleagues would raise the lack of options as a reason not to support choice; they also did not want to go up against the superintendents and teachers in their districts with whom they enjoy a close relationship.

When there is no (perceived) dissatisfaction with the status quo, and a large number of rural legislators who don't think their districts will benefit from school choice, how do you make a case for school choice?

Democrat-controlled chambers or governors. Teachers' unions and Democrats often go hand-in-hand, but a Democratic philosophy of being anti-private school or anti-school choice is also problematic. For example in one state, an anti-reform Democratic governor replaced a pro-reform Republican governor and that will virtually stop progress. In some Midwestern states, the Democrat-controlled chamber stops measures that pass the Republican chamber.

Public school teachers in the legislature. Several mentioned the fact that there are quite a few public school teachers or former teachers in the legislature (often in key positions) and that they oppose education reform measures that they see as "taking money" from public schools.

Fear tactics and losing the message battle. In a southern state, for example, critics of ESAs said the parents might spend the money at Wal-Mart or on video games. The Democrats basically said that the parents weren't capable of handling the money.

Of course, the classic refrain is that vouchers or even charter schools "take" money away from traditional public schools and in nearly every poll, parents and the public say schools don't have enough funds.

Lack of options. In rural areas or largely rural states, the lack of viable options for school choice is a problem and an obstacle.

How can Education reform groups be more helpful?

The legislators know that they are outspent and out-organized by powerful teachers' unions, but they are exasperated that there is no PR campaign or messaging that seems to exist for education reform efforts. They stress that

it needs to get out early, before the other side defines the message, be consistent, coordinated, and on-going, and include the personal stories – emotional, successful kids and parents – even more than the statistics which is what the message typically is.

Some of the highlights of what they said include:

Get out front with a pro-education reform message. Don't wait to play defense, get out early on offense. Share good news stories, personal and emotional stories, facts on blogs, social media, media and other forums. We've been bad at creating a narrative. The narrative gets created by others (teacher unions) and we then have to respond.

Background stories. Provide examples of personal success stories, real people, different examples, particularly from their districts, that they can use on the stump.

Coordinate the message. Get all allies on the same page (easier said than done).

Share successful legislation. Don't call it "model" legislation, but present examples or case studies from other states that have worked. Others implied sharing policies that have worked in other states and briefings would be well-received.

Share tactics for negotiating. Share tactical ideas on what are other states are doing in gaining concessions during negotiations with opposition about educational funding, reform or choice. What can we ask for?

Focus on school boards. School boards are often not equipped to go up against the teachers' unions when bargaining. Educational materials or advice or successful models when dealing with collective bargaining or reforms could be very helpful.

Meet with newly elected legislators. Prep and prepare them for the assault they are likely to get from teachers' unions or other groups. Help build up their backbone.

Create an information/distribution/grassroots network of private and charter school parents. Legislators with big Catholic populations don't

understand why the Catholic community can't activate its parents.

Educational trips to see how things are being done in other states are helpful. Several mentioned trips to Arizona as impetus for their ESA push.

Hold a forum and work with education reform-minded legislators on the ground to coordinate. Breakfast or lunch works well in some states, dinner in other states. Send your experts to come do briefings with their caucus or the public.

ESA legislation and awareness

Familiarity with ESAs was uneven. The difference between what an ESA is and how it can be used, and what a voucher is and how it can be used, was not clear for some.

In some cases there was very little familiarity with ESAs. Legislators from the south seemed less aware. A Democratic legislator expressed low interest and was entirely focused on charters. Another Democratic legislator from was more informed and slightly more interested.

Several mentioned they had taken trips to Arizona to see how the ESA was working there.

There were some sponsors of ESA legislation. One legislator was the chief sponsor of an ESA bill in the House that her colleague doesn't think is going anywhere because of the Democratic majority in the Senate.

This ESA sponsor had a good story to tell about how she had been approached by an autistic mom whose son was not being well served. She thought that parents like these should and could be activated to be messengers for ESAs. She also mentioned an interesting angle which was that public schools who are not serving special needs kids can be sued and could lose which would be costly. Better to make ESAs available which will save money in the long run.

Appendix 1

Discussion Introduction

Thank you for your time today. I know that some of you aren't even able to have us make a charitable donation, so we really appreciate it.

My name is Christine Matthews and my company is Bellwether Research. I have political, public affairs, and corporate clients across the country and many clients who are involved in education issues.

I am here as an independent moderator. The Friedman folks wanted to facilitate a discussion, but not be invested in the outcome or create an environment where people say what they think they want to hear. We want everyone to speak honestly. I will write a report after this group which is why I have a tape recorder on so I can transcribe the conversation. We're also holding conversations with legislators in two other locations.

We only have one hour and a lot of things we'd like to cover, so I will keep the conversation moving. We may not be able to cover all topics, so if we can't, I hope you will be willing to answer a few questions if we follow up by email.

We have legislators from several states here today. The answers and even the relevancy of questions will differ from state to state so I want to make sure that I've heard each state's perspective before moving on.

I respect all of you, but for this discussion, I'd like to dispense with titles and call you by your first names.

Many of you will know a great deal and will be able to answer at length, but I ask you to please make your answers concise. We have an hour, a lot of material to cover, and we need to hear from all of you.

Appendix 2

Discussion/Question Guide

Legislative Priorities

What are two or three issues or legislative priorities that are likely to dominate your next session?

Are there any education issues that are likely to see discussion or action next legislative session?

What organizations do you trust for information on K-12 education policy? What makes you trust them? Who are the influential players in education in your state?

Who is influential in education reform? How could education reform advocates in your state be more effective a) with legislators and b) gaining public support and c) dealing with opposition, like teachers' unions?

What are some of the things education reform advocates have done in your state that have been particularly effective strategies with elected officials and also the public?

ESA Awareness

What are Education Savings Accounts? (K-12, not college savings programs)

How would they be used by parents? How do they work?

How are they the same/different from vouchers?

ESA Policy

What students or families should be eligible? (All students, low income students, special education or those with special learning needs?)

What services should be covered?

What testing or standards should be required for non-public school options?

What accountability should be put in place in terms of use of money and financial reporting to the state or oversight agency?

What are acceptable or unacceptable tradeoffs for creating an Education Savings Account bill? Examples: eligibility (means testing vs. broad eligibility); accountability/testing requirements, if any; ESA amount (e.g. fixed? as % of what

benchmark? sliding scale to give preference to disadvantaged)

Feasibility

Do you think Education Savings Accounts are something that could happen in your state?

Do you think parents and the public at large would be supportive of Education Savings Accounts?

Who would the supporters be? Who would the opponents be? How do you see this going?

What would the reaction be of the Republican caucus members at large? What about Democrats? Governor?

Wrap Up

Qualitative Research Profile

Title:	State Legislator Focus Groups
Sponsor:	Walton Family Foundation and Friedman Foundation for Educational Choice
Researcher:	Christine Matthews, Bellwether Research
Funders:	Friedman Foundation for Educational Choice and the Walton Family Foundation
Population:	State Legislators
Locations:	Boston, MA; Nashville, TN; Seattle, WA
Instrumentation:	Focus Group protocol
Data Collection Strategies:	Moderated group conversation
Language(s):	English
Session Dates:	August 16, 2015 (Boston) August 23, 2015 (Nashville) September 13, 2015 (Seattle)
Data Collection Location:	Bellwether Research & Consulting, 950 N. Washington St., Suite 241, Alexandria, VA
Data Collection Method:	Live, in-person meetings
Session Length:	1 hour
Participant Eligibility:	Must be a current state legislator, attending one of the Friedman Foundation's annual state legislator workshops
Number of Participants:	34
Stimuli:	N/A
Training of Professional Interviewers/Coders:	N/A
Subject Compensation:	No (participants could choose a charity to receive an anonymous donation directly from the Friedman Foundation)
Audio or Video Recording:	Yes (Audio)